

## **CHAPTER 37-03-05 FINANCIAL RESPONSIBILITY**

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| Section     |   |
| 37-03-05-01 | Report of Accident - Content of Report - Failure to Report [Repeal] |
| 37-03-05-02 | Notice of Intention to Suspend - Content [Repeal]                   |
| 37-03-05-03 | Notice of Hearing - Matters Considered                              |
| 37-03-05-04 | Notice of Suspension [Repeal]                                       |
| 37-03-05-05 | Self-Insurer - Qualifications                                       |

**37-03-05-01. Report of accident - Content of report - Failure to report.**  
Repealed effective January 1, 2006.

**37-03-05-02. Notice of intention to suspend - Content.** Repealed effective January 1, 2006.

**37-03-05-03. Notice of hearing - Matters considered.** If a driver makes a written request for a hearing as specified in North Dakota Century Code section 39-06-33, the director shall send a notice of hearing to the driver specifying the time, date, and place for such hearing. The date set for such hearing shall be within sixty days, but not earlier than five days, after the request for the hearing has been received, unless otherwise agreed to by both the director and the person requesting such hearing. The decision in the matter must be made within thirty days of the completion of the hearing. The notice shall further specify that the matters considered at the hearing will be confined to the following:

1. Whether the accident resulted in bodily injury or death, or damage to the property of any one person in excess of the amount specified in North Dakota Century Code section 39-08-09;
2. Whether the accident involved circumstances to which the financial responsibility requirements and suspension do not apply;
3. Whether the possibility exists that liability for bodily injuries or death, or property damage in excess of one thousand dollars could be imposed against the driver;
4. If the possibility exists that liability may be imposed against the driver, the dollar amount of the potential liability and manner in which that amount may be secured by the driver in order to maintain the driver's license, or nonresident's operating privileges; and
5. Any other material matter relating to the suspension of the license deemed appropriate by the driver.

If a hearing is conducted with respect to a proposed suspension, the director shall give notice of the decision by mail to the driver.

**History:** Effective January 1, 1979; amended effective July 1, 1981; May 1, 1994; January 1, 2006.

**General Authority:** NDCC 28-32-02, 39-16-02

**Law Implemented:** NDCC 39-16-05

**37-03-05-04. Notice of suspension.** Repealed effective January 1, 2006.

**37-03-05-05. Self-insurer - Qualifications.** The director may issue a certificate of self-insurance for financial responsibility purposes to any applicant who meets the following qualifications:

1. Has more than twenty-five motor vehicles registered in the applicant's name; and
2. Has received a certificate of self-insurance as provided by the rules and regulations promulgated by the North Dakota insurance department pursuant to North Dakota Century Code chapter 26-42.

**History:** Effective January 1, 1979.

**General Authority:** NDCC 28-32-02, 39-16-02

**Law Implemented:** NDCC 39-16-32